

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MOHAMED M. ELALEM

Plaintiff(s),

vs.

**CHICKASAW NATION INDUSTRIES, INC.,
CNI ADVANTAGE, INC., CHUGACH
GOVERNMENT SOLUTIONS, LLC (CGS),
CHUGACH INDUSTRIES, INC (CII) and John
Doe 1-10," and "XYZ Corporation 1-10" (The
latter being fictitious and used to connote an
unidentified person and/or entity responsible for
this occurrence.)**

Defendant(s).

NOTICE OF MOTION

CIVIL ACTION NO.: 2:19-cv-04891-SRC-
CLW

**AMENDED COMPLAINT WITH JURY
DEMAND**

The plaintiff, **MOHAMED M. ELALEM**, residing 144 High Street, Carteret, New Jersey, complaining of the defendants, **CNI ADVANTAGE, LLC**, and/or **CHICKSAW NATION INDUSTRIES, AND/OR CHUGACH GOVERNMENT SOLUTIONS, LLC (CGS) AND/OR CHUGACH INDUSTRIES, INC (CII)** and/or “XYZ Corporation 1-10” (used to connote an unidentified person and/or private entity and/or public agency responsible for this occurrence), and “John Doe 1-10” (used to connote an unidentified public official, and/or private individual and/or employee(s) responsible for this occurrence) by way of their attorney say:

FIRST COUNT

1. On or about January 20, 2017, the plaintiff, **MOHAMED M. ELALEM**, was lawfully at the premises located at the US Department of Defense at Picatinny Arsenal, New Jersey.

2. On the above date, the plaintiff, **MOHAMED M. ELALEM**, was employed by the United States Army Research, Development, & Engineering Command at the Picatinny Arsenal, NJ.

3. Upon information and belief at or about said time and place and at all times hereinafter mentioned, the defendant(s), **CNI ADVANTAGE, LLC**, and/or **CHICKSAW NATION INDUSTRIES** are located at 2600 John Saxon Blvd. Norman, OK 73071.

4. Upon information and belief at or about said time and place and at all times hereinafter mentioned, the defendant, **CHUGACH GOVERNMENT SOLUTIONS, LLC (CGS) AND CHUGACH INDUSTRIES, INC (CII)** is headquartered in 3800 Centerpoint Drive, Suite 1200, Anchorage, AK, 99503, but has a local address at Picatinny Arsenal as well.

5. Upon information and belief at or about said time and place and at all times hereinafter mentioned, the defendant(s), **CNI ADVANTAGE, LLC**, and/or **CHICKSAW NATION INDUSTRIES**, and/or **CHUGACH GOVERNMENT SOLUTIONS, LLC (CGS) AND/OR CHUGACH INDUSTRIES**, and/or **“JOHN DOE 1-10”** and/or **“XYZ CORPORATION 1-10”** were individually and/or jointly the owners, operators, lessors and/or lessees of a premises located at the US Department of Defense at Picatinny Arsenal, New Jersey.

6. Upon information and belief at or about said time and place and at all times hereinafter, the defendant(s), **CNI ADVANTAGE, LLC**, and/or **CHICKSAW NATION INDUSTRIES**, and/or **CHUGACH GOVERNMENT SOLUTIONS, LLC (CGS) AND/OR CHUGACH INDUSTRIES, INC (CII)** and/or **“JOHN DOE 1-10”** and/or **“XYZ CORPORATION 1-10”** were performing construction related activities on the aforementioned premises.

7. Upon information and belief, at or about said time and place and at all times mentioned hereinafter, **CNI ADVANTAGE, LLC**, and/or **CHICKSAW NATION INDUSTRIES**, and/or **CHUGACH GOVERNMENT SOLUTIONS, LLC (CGS) AND/OR CHUGACH INDUSTRIES**, and/or **“JOHN DOE 1-10”** (fictitious individuals used to connote an unidentified person responsible for this occurrence) and/or **“XYZ CORPORATION 1-10”** (fictitious entities used to connote an

unidentified entity responsible for this occurrence), were responsible for repair, maintenance, and/or control of the aforesaid premises during construction, especially making sure exits to the building under construction were safe and free of harm.

8. At the aforementioned time and place, plaintiff, **MOHAMED M. ELALEM** was lawfully exiting the building at the designated exit while the building was under construction, where he was caused to slip and/or trip and fall, and be precipitated to the ground as a result of unsafe stairs at this exit, causing the plaintiff, **MOHAMED M. ELALEM**, to fall and sustain injury.

9. Upon information and belief, at or about said time and place and at all times mentioned hereinafter, the plaintiff, **MOHAMED M. ELALEM**, while working in the building on the premises, was caused to fall and be precipitated to the ground as a result of the negligence of the defendant(s), and/or each of them, their servants, agents, and/or employees.

10. Upon information and belief at or about said time and place and at all times hereinafter, the defendant(s), **CNI ADVANTAGE, LLC**, and/or **CHICKSAW NATION INDUSTRIES**, and/or **CHUGACH GOVERNMENT SOLUTIONS, LLC (CGS) AND/OR CHUGACH INDUSTRIES**, and/or **“JOHN DOE 1-10”** and/or **“XYZ CORPORATION 1-10”** and/or each of them were negligent in failing to provide safe conditions for invitees, guests, and workers, lawfully at that aforementioned premises.

9. As a result of the negligence of the defendant(s) and/or each of them as aforementioned, separately, jointly, and severely, the plaintiff, **MOHAMED M. ELALEM**, was caused to sustain serious and severe personal injuries, both physical and mental, which upon information and belief are permanent in nature; that the injuries so incapacitated this plaintiff, in whole and in part, and upon information and belief, the plaintiff will be unable to pursue his various duties, vocation and avocation, with the same degree of proficiency as prior to the occurrence.

WHEREFORE, the plaintiff, **MOHAMED M. ELALEM**, demands judgment against the defendant(s) individually, jointly, severally and/or in the alternative in the amount of her damages, for

such sum as will reasonably and properly compensate her in accordance with the laws of the State of New Jersey together with interest and cost of suit.

SPECTOR FOERST & ASSOCIATES
Attorney for Plaintiff



NATALIE S. SHAFER, ESQ.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all issues.

SPECTOR FOERST & ASSOCIATES
Attorney for Plaintiff



NATALIE S. SHAFER, ESQ.

The undersigned hereby certifies that the matter in controversy is not the subject of any other action presently pending in any Court or of any pending arbitration proceedings.

The undersigned further certifies that there are no other parties of which he is presently aware that should be joined in this action.

SPECTOR FOERST & ASSOCIATES
Attorney for Plaintiff

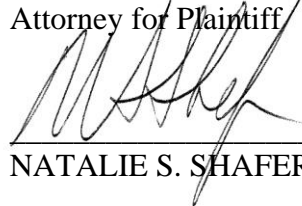


NATALIE S. SHAFER, ESQ.

NOTICE OF TRIAL COUNSEL

Please take notice that Natalie S. Shafer, Esq. is hereby designated as trial counsel in the above captioned matter, pursuant to Rule 4:25 et seq.

SPECTOR FOERST & ASSOCIATES
Attorney for Plaintiff



NATALIE S. SHAFER, ESQ.

DATED: October 3, 2019